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ABSTRACT

This paper presents the University of Utah's policy on study abroad programs, covering program fees, course registration, compensation for program directors, and other areas. Responsibilities of the program director are reviewed, including academic counseling, personal assistance, activities, institutional liaison, budget/finances, liability and indemnification, and crisis management/emergency response. In the area of budget and finance, forms are provided for the project budget, travel advance/reimbursement, meal allowance, and daily expense log. In the area of liability and risk management, the paper lists common sense guidelines for reducing the risk of potential liability problems, outlines travel safety guidelines, and presents university policies concerning field trips. The final section discusses health and safety issues. (JDD)

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ED 377 790

Study Abroad Director's Manual

University of Utah

Study Abroad Director Training
Director Responsibilities
Institutional Responsibilities
Participant Responsibilities

Reducing Risks and Liability in Study Abroad

William L. Barnhart
Director
International Center
University of Utah

1994

HE 027 974

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University Policy Statement on Study Abroad

POLICY AND PROCEDURE

STUDY ABROAD PROGRAMS
UNIVERSITY OF UTAH

Selection of Programs and Program Directors
Program proposals will be submitted to the respective departments by interested faculty for approval. If approved by the department, the proposal is forwarded to the International Center for review. A feasibility study will be done by the International Center and a recommendation given to the department. Proposals should include a detailed description with specific dates, itinerary and estimated costs. International Center staff are available to assist with proposal development. The dates for submission of proposals are as follows:

For programs during:	Submit proposal by:
Spring Quarter	October 1
Summer Quarter	November 1
Autumn Quarter	January 1
Winter Quarter	April 1

Program Fees
The fee charged for each program will be determined by the International Center in consultation with the program director. Negotiations for airfare, accommodations, ground transportation, tuition and all other program expenses will be handled by the International Center and will comply with University Policy and Procedure.

Program Brochure and Application
The International Center, in consultation with the program director, will produce a brochure and customized application for each program.

Advertising and Promotion
The International Center will coordinate advertising and promotion of each program. Where appropriate, the faculty director will utilize classroom contacts to promote the program.

Fee Payment Procedure
All payments will be made by the student to the University Cashier, 165 Student Services Building. The student will present the completed program application to the cashier with payment for validation. After validation, the application is submitted to the International Center. All subsequent payments are made to the University cashier.

Payment Schedule
The payment schedule is determined by the International Center. The minimum initial payment for all programs is $300.

Refund Policy
Refund amounts will be determined by the refund policy of the contracting agencies. A minimum of $100 will be assessed to cover University overhead.

Orientation
Orientations will be conducted by program directors in cooperation with International Center staff. Information on travel, fee payment, financial aid and services provided by the International Center will be the responsibility of the International Center.

Course Registration / Grading Procedures
All registration and grading procedures will be coordinated by the International Center in the following sequence:

1. Program directors will provide the International Center with a list of all courses prior to departure.
2. Program directors will distribute registration forms to all participants at the beginning of the program.
3. Completed registration forms will be submitted to the International Center by the end of the first week of the program.
4. Grade sheets will be distributed to program directors by the International Center. They must be completed and returned to the International Center prior to the beginning of the next term.
5. The registration fee will be included in the program cost.

Travel Requests / Reimbursements
The International Center, in consultation with the program director, will determine the amount of travel advance needed by the director, including individual expenses, group costs, emergency funds, etc. Advance payments (including deposits) are encouraged. Such payments are designed to minimize the amount of advance needed by the program director. The International Center will assist with preparation of the reimbursement form upon return. Receipts and documentation of expenses will be explained prior to departure.

Compensation for Program Directors
Additional compensation, to be determined by the sponsoring department, will be paid to directors through the University payroll system. The cost of the additional compensation is included in the participant fee.

Program Evaluation
Program evaluation forms will be provided by the International Center and distributed to participants by the director at the end of the program. Evaluations will be returned to the International Center.

Administrative Fee
An administrative fee, to be determined by the International Center, will be included in the total program fee.

Benefits Fee
University and State of Utah statute requires that regular University benefits must be paid on behalf of program directors who receive additional compensation. The cost of this added benefits payment will be included in the total program fee.

Responsibilities of the Director

Study Abroad Program Directors

I. Responsibilities

The Program Director, in cooperation with the International Center of the University of Utah, is responsible for the overall administration and management of the study abroad program. This responsibility begins with the departmental and institutional approval of their appointment as a program director and concludes on the ending date of the program.

Prior to departure, the Director will work with the International Center in the recruitment and selection of program participants. Preparation and orientation of participants prior to departure will be the responsibility of both the International Center and the Director.

During the program the Director will be responsible for providing reasonable opportunities for a successful academic and personal experience for participants. The specific responsibilities include:

1. Academic Counseling

It is the role of the Director to provide academic advice to participants, assuring that the academic experience is appropriate. Assistance should be continuous throughout the program.

2. Personal Assistance

The Director is to act as a resource to participants who may need assistance with personal, emotional, financial and health problems that may arise. The Director is the liaison between participants and the appropriate local agencies which provide the assistance in these areas.

3. Activities

The Director is expected to organize, when needed, appropriate activities that will enhance the experience of the participants. Excursions, field trips and cultural events are examples of activities that may be organized.

4. Institutional Liaison

The Director serves as the liaison between the participants and the University of Utah, taking primary responsibility to inform the International Center of any emergency situation that may arise, including participant behavior. Discretionary judgment is assumed on the part of the Director in these matters.

II. Budget/Finances

The program director will be responsible for management of the group's funds during the program. The director will meet with the International Center finance officer prior to departure to review the program budget, including expense allowances, payments abroad and institutional accounting requirements. A complete budget report will be required from the director at the end of the program.

III. Liability/Indemnification

The program director and all program assistants approved by the university are considered the legal representatives of the university and as such are entitled to the same liability protection given all university representatives. Legal representation will be provided for the director and assistant in all matters related to the program.

IV. Crisis Management/Emergency Response

It is the responsibility of the program director to be prepared to respond appropriately to any emergency that may arise. The director's first responsibility will be to the safety of the participants and to determine whether or not a threat exists. If it is determined that there is potential risk to the participants, the program director will notify the International Center at the University of the risk and what action is being taken to minimize or eliminate that risk.

Budget and Finances

Budget and Finance

University of Utah Policy and Procedure requires that all financial matters dealing with study abroad programs comply with state and institutional guidelines. This includes procurement of and payment for travel services and accomodations, program director expenses and compensation, payment of tuition to institutions abroad and a variety of unique expenses that may be incurred because of the particular nature of the program. The budget process becomes complicated when you realize that fiscal procedures at the institution were never really intended for international group travel or study abroad. Thus it becomes a real challenge to keep records clear and understandable for auditors who may not be familiar with what you are doing.

The budgeting process begins when the program director and International Center staff jointly determine the program fee, identifying all the expenses that are to be included. The budgeting process ends only after the final report has been completed and the University Accounting Office accepts that report. Hopefully that will take place shortly after the director returns from abroad. A strict interpretation of IRS reporting requirements reveals that funds provided to program directors for study abroad expenses MUST be reported as personal income unless final reimbursement reports are filed within 60 days of the date of program completion. Needless to say, this would be catastrophic to your personal tax obligation since program directors often have a large portion of the program expenses attached to their university travel advance paperwork.

Included in this section are the following forms and worksheets utilized in study abroad.

1. Budget Worksheet
2. Travel Advance/Reimbursement Forms
3. Meal Allowance Form
4. Daily Expense Log

SAMPLE

Study Abroad Program

Budget Worksheet
(Expenses Per Person)

Airfare	To be bid
Airport Transfers	30.00
Tuition	835.00
Room & Board	486.00
Excursions	70.00
Tips/Gifts ($300 - 30 students)	10.00
Director's Expenses	77.00
900.00 Airfare	
500.00 Lodging	
756.00 Meals	
150.00 Ground Transportation	
2,306.00	
2,306.00 ÷ 30 students = 76.87	
D.C.E. Registration	35.00
Director's Fee	150.00
Director's Benefits (Payroll)	35.00
Administrative Fee	75.00
Contingency	50.00
	========
TOTAL	1,853.00

Other expenses which would be included in a budget that are particular to certain programs are:

Travel package (Neuchatel, Salamanca, Kiel)
Hotels en route (Siena, Kobe)

UNIVERSITY OF UTAH — REQUEST FOR TRAVEL (PLEASE TYPE) 8800

PREPARED BY _____ TELEPHONE _____ DATE _____

CAMPUS ADDRESS _____ DEPT. NAME _____ MAIL CODE _____

PLEASE TYPE

I. TRAVELER'S AFFIDAVIT & SIGNATURE—PLEASE READ BEFORE SIGNING

By my signature, I agree that any money advanced to me including airline charges and registration fees, is a personal advance and that I will, within 20 days after return from the trip, complete and file with the Accounts Payable Department a Travel Reimbursement Request form, even though my allowable expenses may equal the advance received. I further agree that a deduction may be made from my payroll check for any outstanding travel advances for which I have not filed a Travel Reimbursement Request form.

TYPE OR PRINT TRAVELER'S NAME _____ TRAVELER'S SIGNATURE _____ DATE _____

II. AIRFARE OR ADVANCE REGISTRATION REQUIRED

AIRFARE CHARGE TO: _____ (TRAVEL AGENCY) AMOUNT $ _____

ADVANCE REGISTRATION FEE TO: _____ (HOTEL OR MOTEL (FORM ATTACHED)) AMOUNT $ _____

ADVANCE REGISTRATION FEE TO: _____ (HOST ORGANIZATION (FORM ATTACHED)) AMOUNT $ _____

III. TRAVEL ADVANCE REQUIRED

TRAVELER _____ ☐ FACULTY/STAFF ☐ STUDENT AMOUNT $ _____ (MULTIPLES OF $100.00 OR $250.00) ☐ CK ☐ TC ☐ DC

DATE REQUIRED _____ VICE PRES. SIGNATURE REQUIRED _____

IV. TRAVEL INFORMATION

DESTINATION _____

DEPARTURE DATE _____ RETURN DATE _____

PURPOSE OF TRIP _____

MODE OF TRANSPORTATION

☐ AIR _____ (TRAVEL AGENCY) ☐ MOTOR POOL CAR ☐ PRIVATE AUTO ☐ OTHER _____

V. TRIP COST ESTIMATE

☐ AIRFARE

Amount billed to University ..... $ _____

☐ PERSONAL AUTO (In Lieu of Airfare)

Air Quote _____

Miles ____ @ ____ Per Mile = _____ _____

(Use Lowest Amount)

LODGING _____ DAYS ..... _____

MEALS _____ DAYS ..... _____

REGISTRATION ..... _____

CAR RENTAL ..... _____

TAXI, BUS, ETC. ..... _____

PARKING ..... _____

OTHER ..... _____

TOTAL ESTIMATE ..... _____

VI. DISTRIBUTION OF CHARGES — ENCUMBERING

ACCOUNTS TO BE CHARGED	AMOUNT

VII. APPROVAL SIGNATURES

APPROVAL SIGNATURE _____ TITLE _____ DATE _____

APPROVAL SIGNATURE _____ TITLE _____ DATE _____

APPROVAL SIGNATURE _____ TITLE _____ DATE _____

FOR ACCOUNTS PAYABLE USE ONLY—DO NOT WRITE IN SPACE BELOW

ENCUMBRANCE

DATE _____

AMOUNT

TRAVEL NUMBER

ACCOUNTS

	DATE	AMOUNT	BALANCE
TRAVEL AGENT PAID			
REGISTRATION PAID			
TRAVELER PAID AND/OR ADV. CLEARED			

14

Traveler: _____
Department: _____
Campus Address: _____
Campus Phone: _____

UNIVERSITY OF UTAH
TRAVEL DEPARTMENT
405 PARK BUILDING
581-7142

DAILY RECAP OF MEALS

1. The completed recap is to be attached to the Travel Reimbursement Request form as support for reimbursement of meals.

2. Meals are reimbursed as actual expenses not to exceed $27 per 24-hour period from the time of departure. Partial periods are reimbursed up to a maximum based on the following schedule: less than 6 hrs - $0, 6-14 hrs - $14, 14-24 hrs - $27.

3. Actual receipts for meals are not required unless an exception for actual meals reimbursement has been filed for Vice Presidential approval. The Daily Recap of Meals meets the IRS regulations pertaining to proper reporting of expenses to the traveler's employer. The traveler may wish to keep meal receipts if he/she anticipates expenses in excess of $27 per day, which may be claimed as a deduction for personal income tax reporting purposes.

Example: Depart 6:00 a.m. on 1/14
Return 4:00 p.m. on 1/18

DATE	1-13	1-14	1-15	1-16	1-17	1-18	1-19	
DAY	SUN	MON	TUE	WED	THU	FRI	SAT	
BREAKFAST		5.25	4.75	6.00	8.75	5.25		
LUNCH		7.50	5.85	4.25	6.50	6.25		
DINNER		14.00	12.25	12.00	12.50	0.00		
TOTALS		26.75	22.85	22.25	27.75	11.50		Weekly Total
REIMBURSE		26.75	22.85	22.25	27.00	11.50		$110.35

DATE								
DAY	SUN	MON	TUE	WED	THU	FRI	SAT	
BREAKFAST								
LUNCH								
DINNER								
TOTALS								Weekly Total
REIMBURSE								

DAILY MILEAGE LOG (for traveler's use in keeping track of business automobile usage) $.275/mile

DATE	FROM WHERE	TO WHERE	MILES	PURPOSE

Daily Recap of Meals
(Continuation)

DATE								
DAY	SUN	MON	TUES	WED	THURS	FRI	SAT	
BREAKFAST								
LUNCH								
DINNER								
TOTALS								Weekly T
REIMBURSE								

DATE								
DAY	SUN	MON	TUES	WED	THURS	FRI	SAT	
BREAKFAST								
LUNCH								
DINNER								
TOTALS								Weekly To
REIMBURSE								

DATE								
DAY	SUN	MON	TUES	WED	THURS	FRI	SAT	
BREAKFAST								
LUNCH								
DINNER								
TOTALS								Weekly To
REIMBURSE								

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DAILY EXPENSE LOG
Study Abroad Program

Date	Description	Lodging	Taxi, Bus, Etc.	Tips	Entrance Fees	Guides & Lecturers	Business Meals	Telephone	Postage	Other

*** KEEP RECEIPTS ***

TRAVEL DEPARTMENT
402 Park Building
Telephone 581-7142

UNIVERSITY OF UTAH

TRAVEL REIMBURSEMENT REQUEST

SEE P & PM 3 - 10
FOR INSTRUCTIONS

Prepared by _____ Date _____
Sponsoring Department _____ Date _____
Campus Address _____
Telephone _____ Mail Code _____

PLEASE TYPE

I. PERSONAL INFORMATION

NAME _____
CAMPUS DEPT. _____
CAMPUS ADDRESS _____ MAIL CODE _____
HOME ADDRESS _____

II. TRAVEL INFORMATION

DESTINATION _____
DEPARTURE DATE _____ TIME _____
RETURN DATE _____ TIME _____
PURPOSE OF TRIP _____

III. DISTRIBUTION OF REIMBURSEMENT

ACCOUNTS	AMOUNTS
TOTAL	

IV. WORK AREA — ORIGINAL TRAVEL REQUEST NUMBER _____

(CHECK ONE)

☐ AIRFARE AMOUNT BILLED TO UNIVERSITY (COPY OF TICKET ATTACHED)	*
☐ PERSONAL AUTO (IN LIEU OF AIRFARE) Air Quote _____ (USE LOWEST AMOUNT) Miles _____ @ _____ Per Mile = _____ (MILEAGE LOG ATTACHED)	*
LODGING EXPENSE _____ NIGHTS @ $ _____ (ROOM & TAX ONLY)	*
MEAL EXPENSE (ATTACHED RECAP. OF MEALS)	
REGISTRATION FEE	*
CAR RENTAL (EXCLUDING INSURANCE COVERAGE)	*
TAXI, BUS, ETC. (RECEIPTS OR DOCUMENTATION)	
PARKING	*
OTHER (SPECIFY)	*
TOTAL TRIP EXPENSE	

V. RECONCILIATION AREA

DEDUCT AIRFARE BILLED TO UNIVERSITY	
DEDUCT REGISTRATION OR HOTEL DEPOSIT PREPAID BY THE UNIVERSITY	
SUB-TOTAL OF REIMBURSEMENT (MUST AGREE WITH SEC. III TOTAL)	
IF UNIVERSITY ADVANCE RECEIVED, DEDUCT ADVANCE	
DIFFERENCE DUE TRAVELER	
OR EXCESS DUE UNIVERSITY — PLEASE ATTACH CHECK OR MONEY ORDER (IF CASH IS BEING RETURNED, PLEASE HAND DELIVER)	

VI. SIGNATURE APPROVALS

I hereby certify that the above claim is correct, and the listed expenditures were reasonable and necessary to conduct official University of Utah business. I further certify that I have not been previously reimbursed for the amount claimed above.

_____ _____
TRAVELER SIGNATURE DATE

_____
TYPED NAME AND TITLE

_____ _____
APPROVAL SIGNATURE DATE

_____
TYPED NAME AND TITLE

_____ _____
APPROVAL SIGNATURE DATE

_____
TYPED NAME AND TITLE

COMMENTS:

19

* Original Receipts Required

REV. 10/92

FAC. MAINTENANCE COPY

Liability and Risk Management

INSTITUTIONAL LIABILITY IN STUDY ABROAD PROGRAMS

More and more, administrators seem to be concerned, perhaps overly concerned, about the issues of institutional liability for the general health and welfare of participants in their institutionally sponsored study abroad programs.

Does the concept of "En Loco Parentis" apply more strongly because we are separating participants from their support networks?

Should we forget about signed release forms because "any fool can sue" regardless of a signed release?

Can we "selectively discriminate" against inclusion of certain participants that may be handicapped or have a history of mental instability?

How do we define "responsible" behavior on the part of program directors?

Are there "Common Sense" procedures to follow that will reduce the institutional risk to an acceptable level?

A Beginner's List of Participant Perils for which You May Be Liable

- Health
- Assault
- Bad Weather
- Cockroaches
- Irresponsible On-site Directors
- Academic Quality and Credit
- Bad Accomodations
- Accidental Injury
- Sexual Harrassment
- Terrorists
- Bad Food

-and 50 other real or imagined perils.....

REDUCING THE RISK: COMMON SENSE GUIDELINES

1. The courts focus on whether or not institutional negligence is apparent and tend to support the fact that participants, for the most part, are adults and therefore responsible for their own actions.

2. The best "preventive defense" is clear and definitive information prior to departure. Are there "inherent" risks on the program?
If so, tell participants, in writing, and have them sign something indicating they've read it.

3. Is the institutional role and its responsibilities clearly defined? Do so in writing and again have the participants sign indicating they have read it.

4. Keep the institutional responsibility to a minimum. Don't promise "the moon" because the more responsibility you accept, the more liable you become.

5. By all means, insist on adequate health and accident insurance.

6. Have an emergency response mechanism in place. Dr. Brenda Robinson's, which was printed last year in a NAFSA newsletter, is one of the best models.

Obviously this is an issue that could generate endless discussion and needs our continued attention.

TRAVEL SAFETY GUIDELINES

Travel has always had its joys AND its hazards. In general, American students have never been the specific target of hostile activity. Terrorism has been directed usually at government officials and business people representing large U.S. firms. One still has more chances of getting in an automobile accident or hurting oneself at home than being involved in a terrorism incident.

However, there are certain precautionary measures that can be taken to minimize potential risks. Many of these are common sense measures, ones that should be followed not only for one's safety but for one's immersion and enjoyment of the host country as well.

BE ALERT!

* Do not watch other people's luggage in the airport or leave your bags or articles unattended.
* Do not check bags for anyone else or carry gifts/packages for anyone you do not know very well.
* Get in and out of airports, train, bus and subway stations as promptly as possible.
* Avoid suspicious, abandoned packages in the airport and elsewhere and REPORT them to security personnel.
* Watch for and report suspicious behavior and don't be shy about it.
* Do not call undue attention to yourself as American (ex: clothing etc.)
* Do not carry your camera around your neck at all times. This quickly identifies you as a tourist.
* Register with the U.S. embassy or consulate within 2 weeks of your arrival so they can alert you to any dangers and help.
* Maintain regular contact with host coordinator/program director.
* Integrate as fully as possible into the university community.
* Avoid large crowds or demonstrations. Get out of the area immediately. Do not photograph them.
* Take care of what you photograph for many individuals and groups do not want their picture taken.
* Avoid situations and locations popularly identified with Americans. Exercise caution when in or near U.S. military/civilian facilities.
* Do not travel to countries the State Department advises you not to travel to. Review existing travel advisories concerning the country or region to which you will be travelling to.
* When travelling, notify the host program coordinator/program director or a friend of your travel itinerary.

* Maintain regular contact with "home" so parents and others are assured of your safety.
* Keep informed through radio and television broadcasts. Develop a political awareness.

Subject FIELD TRIPS

I. PURPOSE

To establish a policy and related procedures for field trips that involve faculty members, support staff, students, and/or other persons.

II. REFERENCES

PPM 8-10 to 8-10.15 (Student Code)

PPM 8-12 to 8-12.8 (Code of Faculty Responsibility)

III. DEFINITION

"Field trip" means a journey or excursion away from the university campus, whether or not in university vehicles, involving two or more persons, that is organized and/or sponsored by an operating unit of the university, or by a faculty member or other authorized employee of the university, for academic, research, or recreational purposes that are related to an approved program or activity of the university. "Field trip" does not include travel by university athletic teams and related personnel pursuant to approved policies of the department of athletics.

IV. POLICIES

A. University Responsibility. The university recognizes that it is obligated under the law to establish and ensure compliance with all applicable requirements of federal and state law, and all applicable university regulations, including but not limited to the Student Code and the Code of Faculty Responsibility, in connection with field trips.

1. The faculty member or other university employee designated to be in charge of a field trip (i.e., the "trip director") has the responsbility to enforce compliance with university policies by all persons participating in the field trip.

2. No person shall be permitted to participate on a field trip unless a "Statement of Understanding," properly completed and signed pursuant to Section IV B, below, is on file for that person in the office of the responsible department head or director before the field trip commences.

Subject
FIELD TRIPS (continued)

3. The trip director is responsible for the prudent care and operation of university-owned vehicles used on field trips from the time at which possession of the vehicle is taken until it has been returned to university control.

4. Only a duly licensed adult (i.e., age 18 years or older) who has been authorized by the trip director may operate a motor vehicle, whether or not the vehicle is owned by the university, to transport persons on a field trip.

5. The trip director must obtain assurance, prior to the commencement of the field trip, that any vehicle not owned by the university and used on the field trip will be covered throughout the period of the trip by a motor vehicle liability insurance policy, currently in effect, with limits of coverage and liability that satisfy the requirements of the Utah Motor Vehicle Safety Responsibility Act, 1953 Utah Code Anno. §§41-12-1 et seq.

6. Each person particpating on a field trip in any capacity (e.g., faculty, staff, or student) should be covered by insurance for medical and hospital costs arising from any accident occurring while on the field trip. Enrollment in the university's hospital/medical insurance program for university employees, or in the student health insurance program, will satisfy this requirement. Persons not included in these insurance programs and who do not already carry equivalent private hospital/medical insurance should obtain appropriate short-term insurance.

7. Funds administered by the university may not be used to supply alcoholic beverages to persons participating on a field trip.

8. While actually using any vehicle for field trip purposes, and during "working hours" (i.e., those hours designated by the trip director as time to be spent on university-sponsored activities within the purpose of the trip), drinking of alcoholic beverages by any participant on a field trip is forbidden.

9. No narcotics, illegal drugs, or other controlled substances may be in the possession of, or used by, any person engaged in the field trip except for purposes specifically permitted by the Utah Controlled Substances Act.

10. No person engaged in field trip activities, other than the trip director, may possess or use any kind of firearm for any purpose, except as may be expressly authorized by the trip director upon a determination that the person so authorized is reasonably knowledgeable and proficient in the use of the particular firearm and that its possession or use by him/her is necessary to carry out the purposes of the trip.

11. Each student participant is expected to comply with all applicable provisions of the Student Code, and each faculty member is expected to comply with all applicable provisions of the Code of Faculty Responsibility, during the field trip, and to obey all applicable provisions of the law of the state and nation in which the field trip activities take place. All participants are individually responsible for their personal conduct while on the field trip, and the university has no obligation to intercede or undertake to protect them from the legal consequences of violations of law for which they may be responsible.

B. Statement of Understanding

1. Each person, prior to participating in a university-sponsored field trip, must personally sign (or if under 18 years of age must obtain the signature of his/her parent(s) or guardian upon) an agreement reading substantially as shown in the attached Appendix, which shall be filed in the office of the sponsoring department or office prior to the commencement of the field trip.

2. Persons who are expected to participate on more than one field trip during any academic year (i.e., July 1 to the following June 30, inclusive) are not regularly required to sign a separate Statement of Understanding for each trip, provided there is on file in the pertinent office a duly signed Statement that is accurate and up-to-date prior to each field trip taken during that academic year.

3. The filing of such statements may be required as a condition of registration in any course in which participation in one or more field trips is anticipated.

V. PROCEDURES

A. Departmental Responsibilities. The head of each department or operating unit that sponsors field trips shall be responsible for enforcing university policies relating to field trips, for notifying students of the requirements of this Field Trip Policy and Procedure, and for maintaining files of the Statements of Understanding required by Section IV B, above.

B. Sanctions.

1. Violations of this Field Trip Policy may be the basis of appropriate sanctions, including the initiation of formal charges under applicable provisions of the Student Code or the Code of Faculty Responsibility.

2. While actually engaged in a field trip, the trip director may enforce the provisions of this Field Trip Policy by withdrawal or limitation of privileges, or, in the event of repeated violations, by excluding the offending person from further participation and arranging to return the offender to the campus or to convey him/her to the nearest point of public transportation for return to the campus. The cost of such return transportation is a proper charge against university funds, but the university reserves the right to obtain reimbursement from the offender.

C. Reports of Accidents. Any accident or other occurrence causing physical injury to person or property occurring in the course of a field trip, whether or not the injury is sustained by a participant on the field trip, shall be reported promptly pursuant to University Policy and Procedure 2-74.

Approved: Institutional Council 12/10/79.

UNIVERSITY OF UTAH
STATEMENT OF UNDERSTANDING

(Field Trips)

The undersigned hereby acknowedge(s) and agree(s) that:
(Please PRINT)

1. _____(herein referred to as "Participant" expects and intends to participate in one or more field trips to be sponsored by the University of Utah during the academic year ending September 1 following the execution of this Statement of Understanding.

2. In consideration of the University's sponsorship and direction of such field trip(s), participant hereby states that he/she has read and understands the terms and conditions of University of Utah Policy and Procedure 1-10 and specifically agrees to be bound thereby.

3. Participant further agrees and understands that during each such field trip he/she will be under the direction and control of the program director approved by the University of Utah, and specifically agrees to comply with all reasonable directions and instructions by the director during the course thereof. This includes compliance with travel safety guidelines and precautionary measures covered in the program orientation.

4. Participant understands and acknowledges that there are specific risks of injury to person and/or property that are associated with field trips, including risks related to travel hazards, terrain, weather, eating and sleeping arrangements, and other circumstances. Participant specifically agrees to and voluntarily assumes the risk of such injuries, and hereby certifies and represents that participant will arrange for appropriate personal accident/health insurance coverage (e.g. hospital/medical insurance, student health insurance, University short-term accident insurance, etc.) during the period of each such field trip.

5. Participant understands and acknowledges that the University of Utah assumes no liability for personal injuries or property damages to participants or to third persons arising out of field trips, except to the extent that such liability is imposed by law, including the Utah Governmental Immunity Act (Utah Code Annotated 63-30-1 et seq.) and the Utah Public Officers' and Employees' Indemnification Act (Utah Code Annotated 63-48-1 et seq.). Participant agrees to indemnify and to save the University harmless from any liability arising out of the acts or omissions of participant during any such field trip, subject to any limitations or restrictions against such indemnification that are imposed by law.

Date_____19_____ Signed_____
Participant

(If participant is under age 18, the signature of at least one parent or of a legal guardian must be supplied)

Date_____19_____ Signed_____
Parent or Guardian

STUDY ABROAD LIABILITY

Anecdotal Remarks from Bill Evans, Assistant Attorney General
Discussion on Liability at Study Abroad Program Director
Training Session held March 11, 1993

I. **LIABILITY** - results from a breach of our duty in some respect. These duties arise from our relationships and by operation of law. Some examples are as follows:

A. **TORT** - duty of reasonable care (non-negligence) to avoid personal injury to another person or their property. Generally, University employees do not have the heightened obligation imposed by in loco parentis but are considered to be dealing with adults on an arms length basis. However, we may have a somewhat higher duty to help others in a foreign country if we are in a superior position to help and understand the risks and the others look to us for help.

B. **CONTRACT** - obligations can be either in writing or oral (oral in most cases is just as binding but may be harder to prove) and might even be implied by the actions and reasonable expectations of the parties. Statements made in promotional literature, orientations, policies, release forms, etc may all result in contractual obligations.

C. **NON-DISCRIMINATION** - duty imposed by various state and federal law as well as institutional policy. Prohibited discrimination may include anything based on race, religion, national origin, color, sex, disability, veteran status, age, sexual preference, etc. These prohibitions generally apply to University employees and students even in a foreign country that may not recognize those same rights.

D. **SEXUAL HARASSMENT** - considered a form of sex discrimination. The University's duty on receiving any complaint of sexual harassment is to take swift and definitive action to protect the victim and remove him or her from any hostile environment and make reasonable inquiry to address the problem.

E. **DISABILITY** - the University has a duty to reasonably accommodate any disability when a participant (faculty, employee, or student) identifies a disability. Presume at the outset that the University can and will make a reasonable accommodation. Each case must be considered on its own facts and circumstances.

F. **CONFLICTS OF INTEREST** - state law and University policy (and some applicable federal statutes and regulations involving the use of federal funds) strictly prohibit

having any conflict of interest between your duty to the University and your personal interests. Some blatant conflicts and frauds are absolutely prohibited, but some conflicts are permissible if a formal written disclosure statement is filed with the University and the Attorney General's Office. Don't accept gifts, gratuities, additional compensation unless it is disclosed and, preferably, there is another person without that conflict who can act as a buffer and decision-maker in your behalf.

G. **CONSTITUTIONAL RIGHTS** - the institution is still bound by state and federal Constitutional rights (freedom of speech, freedom from unreasonable search and seizure, due process, etc.) in dealing with students in a foreign land; but remember to emphasize to leaders and students that the foreign country often will provide no such rights. Just being a student or American citizen does not protect them.

II. **DEFENSES** - to avoid liability, and more importantly, to avoid problems from arising in the first place and to be fair and open with all participants, the following principles and suggestions should be considered:

A. **ASSUMPTION OF THE RISK** - is a defense to a tort action when an injured person has knowingly and voluntarily engaged in conduct that results in injury or loss. We can best prove that they have assumed a risk if it is explained to them preferably in writing, in advance. Get signed releases and don't "sugar coat" any downside risks.

B. **CONTRIBUTORY NEGLIGENCE/COMPARATIVE NEGLIGENCE** - is a defense when the injured person's own negligence (or willful conduct) has contributed to their injury or loss. Make clear when it is free time and students are on their own. Give clear expectations applicable to class or other structured time. Be prepared to discipline, and even dismiss a participant (with predetermined guidelines to back you up) if necessary. An "academic" dismissal is generally more within the discretion of an instructor than a "behavioral" dismissal. Tie as much as possible to academic expectations because these are subject to a less stringent standard of "due process."

C. **FOLLOW THE POLICIES** - read, understand and follow any applicable policy. If the policy is wrong, at least you personally are protected. Generally, the policies have been well considered after years of experience.

D. **LIMIT CONTROL** - to the extent we are in control over an aspect of the trip (travel, food, lodging, excursions, holding money, passports, etc.) we are likely going to be

responsible if anything goes wrong. Control = Liability. Avoid trying to control every aspect of the trip, making clear those areas that we do control, and those areas of free time and discretion. We are dealing with adults.

E. **DOCUMENTATION** - keep a record of activities and occurrences. Make it factual and objective (don't include subjective comments or value judgment). It will be used, for better or worse, if anything goes wrong and your conduct is challenged. Protect yourself with good documentation.

III. **INDEMNIFICATION** - be assured that the University is under a statutory duty to defend and indemnify you in the event you have a claim against you arising from your work (in the performance of your duties, in the course and scope of employment, under color of authority) unless you were acting out of fraud or malice or were under the influence of drugs or alcohol. BE PROFESSIONAL, COURTEOUS, FAIR, AND COMMUNICATIVE; DON'T BE AFRAID TO DO THE RIGHT THING.

Health and Safety Issues

Travelling Healthy

I. Prior to Departure Preparation

Good preventive health care prior to departure is probably the most important thing participants can do to assure a successful study abroad experience. It is imperative that certain health issues be covered in the pre-departure orientation program . These will vary with country, depending on the level of health care delivery system, but the following areas should be discussed:

1. Basic Hygiene
2. Water and Food Issues
3. Alcohol and Drugs (legal and illegal)
4. Personal Responsibility and Health Status
   - Existing conditions, special care needed
   - Prescriptions
   - Eyewear
5. Sexuality and Relationships
6. Accident and Injury Prevention
7. Health Care Availability Abroad
8. Diseases
9. Psychological Issues
10. Common Sense

Depending on the location abroad, a variety of sources can be utilized to answer questions related to these topics. The Student Health Service can provide information not only on immunizations but also how you can respond to students'simple health care needs such as upset stomachs, cold and flu symptoms and just plain homesickness.

Other good sources of information include returned faculty and students, country guidebooks and Public Health Hotlines such as the Center for Disease Control.

A number of publications offer suggestions for health care preparation prior to travelling abroad, some of which are available in the study abroad resource library in the International Center.

II. Health Care While Travelling Abroad

As the program director no one expects you to also function as the group medic or nurse. However, it will make your life much simpler if you are able to provide some direction and respond to basic requests for health care.

1. Be Familiar with the Local Health Care Delivery System

   Where is the local clinic? Hours of operation? Will it treat foreigners? What is the method of payment?

2. Establish a Medical Emergency Response Plan

   Where do you find "after hours" health care? How do you get someone out of the country quickly?

3. Refrain from Distributing Medicine to Participants

   Even over-the-counter medicines can be lethal for some people. Consequently, it's better to insist that participants bring their own supply of pain relievers, anti-diarrheal drugs, antacids, etc.

   You should know where the local pharmacy is but be cautious to inform participants that drugs sold over-the-counter in other countries may often contain stronger doses than we are used to in the U.S. as well as drugs that require prescriptions in the U. S..

References for Healthy Travel

Here are a three good publications about healthy travel:

1. Health Guide for International Travelers
   Passport Books
   Sakmar/Gardner/Peterson 1989

2. Safety and Health Abroad
   Datafax Corporation
   Giordano/Shea

3. Survival Kit for Overseas Living
   Intercultural Press
   Kohls

THE UNIVERSITY OF UTAH

EMERGENCY GUIDELINES FOR STUDY ABROAD PROGRAM DIRECTORS AND STAFF

Although no plan will apply to every situation, a common set of factors must be examined in every case. A checklist has been organized below to guide reponse by the home institution to emergencies facing the study abroad program. (These guidelines are adapted from a special report by Brenda S. Robinson at California State University, Chancellor's Office. NAFSA Newsletter, November 1990.)

WHEN AN EMERGENCY OCCURS:

1. The International Center should contact the program director/administrator overseas and or the program director/administrator should contact the INTERNATIONAL CENTER at the University of Utah. Telephone (801) 581-5849. FAX: (801) 581-5914.

2. The program director will ascertain the real danger to students and staff considering such factors as:
- the event's proximity to students and staff
- its impact on the availability of food, water, and medical supplies
- the target of unrest
- the intensity of the emergency or of the political unrest
- the presence of military or emergency personnel
- the feasibility of continuing classes
- the ability of students and staff to travel in the nation
- advice of the nearest U.S. embassy or consulate.

ASK FOR AS MUCH SPECIFIC DETAIL AS POSSIBLE

3. The program director and the International Center call U.S. offices of other institutions with students in the affected location to coordinate information and to devise a common action plan. Maintain coordination throughout the emergency.

4. Once the essential facts have been gathered, relay the information to the International Center. The International Center will then call a meeting of senior administrators in the University-- vice president of academic affairs, the director of the International Center, vice president for student affairs, the university's general counsel, the director of public safety and the director of public relations. The group will consider:

- any immediate measures needed to preserve the health and safety of students and staff
- additional issues of health, safety, academics, financial aid, public relations, and legal liability

International Center

159 Union Building
Salt Lake City, Utah 84112

Study Abroad (801) 581-5849
International Student Services (801) 581-8876

- the appropriate course of action overseas dealing with initial:
  student panic, recommend appropriate student behaviors, develop a written course of action, and have students acknowledge in writing receipt of such information
- develop and assist with an evacuation plan, if necessary considering:
  the safety of various modes and routes of travel
  the costs of evacuation and the method of meeting those costs,
  the possibility of reducing the level of threat by dispersing students in small groups to reconvene later in another locale, and available in-country resources

- designate an individual to assume responsibility for the situation at the home institution (one person, with backup)
- develop a communication document to be utilized by all individuals involved (consistency is crucial)

- prepare a list of individuals to be alerted once the entire plan is in place (to include the president of the institution and its board of trustees; staff, parents and family of students abroad, faculty and students on home campus, the State Board of Education and state representatives and legislators, and the media)

- develop a daily communication plan (people, organizations)
- provide appropriate individuals with a daily bulletin until the crisis is over

- assess the impact of the event once ended and documenting all actions taken in a written report

STUDENT PROCEDURES

1. Gather students at the overseas site and inform them of the threat
2. The program director/administrator should help students develop a list of behaviors that draw attention to themselves as Americans. These behaviors will then be avoided. Refer to TRAVEL SAFETY GUIDELINE handout which was given to students in the pre-departure orientation.
3. Tell students not to congregate in large groups, especially in locations that U.S. students were known to frequent

4. According to what the University of Utah decides, students would be given the opportunity to return to the U.S. immediately with no financial penalty and with the assurance that an effort would be made to salvage the time spent abroad to the extent feasible.

5. Travel Safety list with any additions passed out to students as well as the return option, and each student given 2 copies (one to keep and one to sign and return)

6. Send signed acknowledgements back to the United States to cover liability
7. The program director/administrator takes added security precautions at the classroom site (including the removal of all U.S. program identification)
8. Program director/administrator maintains daily contact with the International Center and provides students with daily bulletins as well as counseling and positive feedback to students.

9. Evacuation plans are developed and transmitted in confidence to the program director/administrator.
10. The Public Relations office fields all media inquiries after the situation is broadcast on national radio and television.
11. Consideration is given to the politics of withdrawing from the study site (reaction at home and in the host country, impact on the overseas institution and home university)

12. A response to parents is developed, including a letter that was sent to all parents (with a copy to students overseas) and a coordinated response to the anticipated telephone calls.

THIS CHECKLIST IS NOT COMPLETE AS THE PARTICULAR SITUATION WILL DICTATE WHAT NEEDS TO BE DONE BUT THIS DOES PROVIDE A GENERAL GUIDE TO THE ISSUES THAT MUST BE ADDRESSED AND THE INDIVIDUALS WHO MUST BE INVOLVED IN THE TASK.

PROTOCOL LIST
EMERGENCY RESPONSE TEAM

		work:	home:
1.			
Bill Barnhart	International Center	581-8876	272-7458
B. Elisa Holt	International Center	581-8876	544-0963
C. Linda Phelps	International Center	581-8876	277-1362
2.			
Norm Gibbons	V.P. Student Affairs	581-7793	968-1570
B. Lorie Hemsley	Administrative Asst.	581-7793	968-8213
C. Kathy Morris	Secretary	581-7793	292-9077
3.			
Ramona Adams	Assoc. Dean Stud. Affairs	581-7066	484-1143
B. Kay Harward	Asst. Dean Stud. Affairs	581-3477	
4.			
Wayne Shepherd	Director, Public Safety	581-7193	
5.			
John K. Morris	Counsel to the President	581-5115	582-5833
6.			
Jerilyn McIntyre	Academic V.P.	581-8661	364-2161
7.			
Pam Fogle	Dir., Public Relations	581-5108	292-4093
B. Larry Weist	Dir., News Service	581-3242	292-7354
C. Terry Newfarmer	Mgr., Emp. Comm.	581-7996	969-3966
8.			
Bill Evans	Asst. Atty. General	533-3220	582-0333
B. Constance L. Hughes	Asst. Atty. General	533-3220	451-5174
C. Lee Dever	Asst. Atty. General	533-3220	487-4109